

U.S. Application No.
09/486,167

International Application No.
PCT/BE98/00124

Attorney Docket No.
VANM143.001APC #3

Date: August 4, 2000

Page 1



I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on

4-Aug-2000

Daniel Altman (Date)

Daniel E. Altman, Reg. No. 34,115

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 USC 371

International Application No.: PCT/BE98/00124

International Filing Date: August 20, 1998

Priority Date Claimed: August 20, 1997

Title of Invention: PEROXISOME-ASSOCIATED POLYPEPTIDE, NUCLEOTIDE SEQUENCE ENCODING SAID POLYPEPTIDE AND THEIR USES IN THE DIAGNOSIS AND/OR TREATMENT OF LUNG INJURIES AND DISEASES, AND OF OXIDATIVE STRESS-RELATED DISORDERS

Applicant(s) for DO/EO/US: Knoops et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- (X) Copy of Notification of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) dated May 4, 2000.
- (X) An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- (X) An extension of time to respond for two month(s) is hereby requested.

Time Extension Fee:

(X) two months (\$190 small entity)

(X) Small Entity Statement.

08/18/2000 ERIHANO 00000139 09486167

01 FC:215

55.00-0P

(X) A return prepaid postcard.

(X) The fee of \$65 for submission of the Declaration after 30 months from the priority under 37 C.F.R. 1.492(e).

Adjustment date: 08/31/2000 ERIHANO
08/18/2000 ERIHANO 00000139 09486167
01 FC:215

-55.00 0P

U.S. Application No.
09/486,167

International Application No.
PCT/BE98/00124

Attorney Docket No.
VANM143.001APC

Date: August 4, 2000

Page 2

(X) The fee of \$65 for submission of the Declaration after 30 months from the priority under 37 C.F.R. 1.492(e).

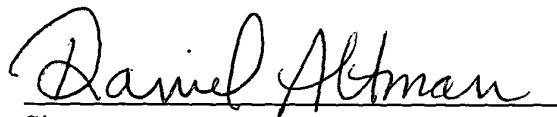
(X) Fees as calculated below:

FILING FEE PAID ON FEBRUARY 22, 2000	\$ 840
FEE FOR EXTENSION OF TIME (LARGE ENTITY) 2 months	\$ 380
SURCHARGE 37 CFR 1.16(e)	\$ + 130
REMAINDER OF FILING FEE TO BE PAID	\$ 440
TOTAL OF ABOVE CALCULATIONS	\$ 1790
REDUCTION BY 1/2 FOR FILING BY SMALL ENTITY. Note 37 CFR 1.9, 1.27, 1.28. If applicable, verified statement must be attached.	\$ - 895
TOTAL OF \$895 SUBTRACT \$840 ALREADY PAID =	\$ 55
TOTAL FEES SUBMITTED HEREWITH	\$ 55

(X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO:

KNOBBE, MARTENS, OLSON & BEAR, LLP
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660


Signature

Daniel E. Altman
Printed Name

34,115
Registration Number



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO. 09/486167 FIRST NAMED APPLICANT KNOOPS B ATTY. DOCKET NO. VANM143.001A

KNOBBE MARTENS OLSON & BEAR
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH, CA 92660

INTERNATIONAL APPLICATION NO.
PCT/BE98/00124
I.A. FILING DATE 20 AUG 98 PRIORITY DATE 20 AUG 97
DATE MAILED: 04 MAY 2000

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 02/22/00 and

☒ Information Disclosure Statement(s) filed 02.22/00 and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☒ Other: PCT/IB/308 & PCT/PEA/401 & 402, PCT/RO/101, DNA DISKETTE

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Barbara A. Campbell

Telephone: 703-305-3631

DOCKETED ON: MAY 11 9 2000
BY: HAN VERIFIED BY: [Signature]
ACTION: Rep to Miss [Signature]
DUE DATE: JUNE 4, 2000
FINAL DEADLINE: NOV. 4, 2000
ATTY: DEA/JAT
ATTORNEY VERIFICATION OF DUE DATE AND FINAL DEADLINE: